GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Allegation of corruption against Sri V. Venkateswarlu, R.I. Armed Reserve, Visakhapatnam Rural – Convicted by III Addl Dist. & Sessions cum Spl. Judge for SPE & ACB cases, Visakhapatnam – Punishment of dismissal from service imposed - Orders of Hon'ble High Court of Andhra Pradesh in Criminal Appeal No.272/2006 Dt. 09.12.2013 - Cancellation of Dismissal orders and release of all consequential benefits –Orders – Issued.

HOME (SC.A) DEPARTMENT

G.O.Ms.No.110, **Dated:01-10-2021.**

Read the following:

1. From the DG, ACB Rc.No.74/RCT.WVP/98-S.11, Dt. 01.07.1999.
2. G.O.Ms.No.361, Home (SC.A) Dept dt.15.11.1999
3. Govt. Memo No.1385(SC.A) Deptt. Dated 18.11.1999
4. G.O.Ms.No.54, Home (SC.A) Deptt. Dated 19.02.2004
5. From the DG, ACB Lr.No.74/RCT-WVP/98-S.11,Dated 14.02.2006.
6. Judgment dated 06.02.2006 in C.C.No.10/2000 of the III Addl. Dist. & Sessions cum Spl. Judge for SPE & ACB cases, Visakhapatnam
7. G.O. Ms.No.52, Home (SC.A) Deptt. Dated: 17.03.2006
8. High Court orders in Crl Appeal No.272/2006 dt.09.12.2013
9. From Sri V. Venkateswarlu, formerly R.I. Visakhapatnam Representation Dated:02.03.2015. .
10. Govt Memo No.163/SC.A/A2/2006-11, Home (SC.A), Deptt., dated:17.03.2015.
11. Govt. Memo. No.163/SC.A/A2/2006-15, Home (SC.A), Deptt. dated:27.01.2017.
12. From Sri V. Venkateswarlu, formerly R.I. Visakhapatnam Representation Dated:11.07.2019.
13. From the DG, ACB Lr. 74/RCT-WVP/98-S.11,dated 02.08.2019.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau, Andhra Pradesh, Hyderabad has recommended for prosecution of the A.O. Sri V. Venkateswarlu, formerly R.I., Visakhapatnam in the Court of Law under Sections 7 and 13(1)(d) r/w 13(2) of Prevention of Corruption Act.1988 also to initiate Departmental action against the said AO for his slack supervision along with others.

2. In the reference 2nd read above Govt have issued orders according sanctioning for Prosecution of Sri V. Venkateswarlu, R.I. in a Court of Law.

3. In the reference 3rd read above, Departmental action was initiated against the Accused Officer and on examination of the Inquiry Report and in consultation with the APPSC issued orders in G.O.Ms.No.54, Home (SC.A) Deptt., dated 19.2.2004 imposing the punishment of postponement of Increment for three (3) years with effect on future increments against the above officer, in the Departmental case.

4. In the reference 6th read above, the Court of the III Additional District & Sessions Judge-cum-Special Judge for ACB Cases, Visakhapatnam delivered the judgment on 06.02.2006 in CC No. 10/2000, convicting the A.O. Sri V. Venkateswarlu, formerly Reserve Inspector, AR. Visakhapatnam and sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs. 1000/-, for the charge under section 13 (1)(d) read with section 13 (2) of the P.C. Act, 1988. Accordingly, in the reference 7th *read above*, Government issued orders imposing the penalty of dismissal from service against Sri V. Venkateswarlu, R.I., A.R., Visakhapatnam with immediate effect, as per rules on the subject.

(P.T.O.)

5. Aggrieved by the judgement of the trial court, Sri V.Venkateswarlu Reserve Inspector, Armed Reserve, Visakhapatnam Range has filed Crl. Appeal No.272/2006 before Hon'ble High Court. The Hon'ble High Court, in its judgment dated 09-12-2013, had allowed the Crl. Appeal and set aside the conviction and the sentence imposed by the Trial Court, Visakhapatnam for the offences under Sections 7 and 13(2) r/w 13(1)(d) of the PC Act, 1988 in CC No. 10/2000, vide Judgment dated 06-02-2006. Consequently, the appellant accused is acquitted of the said charges.

6. Meanwhile Sri V. Venkateswarlu, formerly Reserve Inspector (Dismissed from service) has attained the age of superannuation on 30.06.2013 A.N. In his representations dt.05.03.2015 & 11.07.2019 Sri V. Venkateswarlu, formerly Reserve Inspector (Dismissed from service) while enclosing the orders of the Hon'ble High Court, Dt:09.12.2013, has requested the Government to cancel the Dismissal orders of the Govt. and to release all the consequential benefits to him at an early date to enable him to receive pension as early as possible.

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7. In the reference 13th read above, the Director General, ACB has informed that the Bureau has filed Special Leave Petition in the Hon'ble Supreme Court of India on 10-05-2017 and the Hon'ble Supreme Court of India has dismissed the same on the grounds of delay and requested the Govt., to issue further orders in the matter.

8. Government after careful examination of the matter, have decided to implement the orders of the Hon'ble High Court and to cancel the dismissal orders issued in vide G.O.Ms.No.52, Home (SC.A) Dept dt.17.03.2006 and also to release all the consequential benefits to the individual. Accordingly, Government hereby order to repeal the orders of dismissal against Sri V. Venkateswarlu, formerly Reserve Inspector issued vide G.O.Ms.No.52, Home (SC.A) Dept dt.17.03.2006. Consequently he shall be deemed to have been reinstated into service w.e.f 17.03.2006 i.e. from the date of dismissal. Govt. here by direct to release all consequential benefits as per rules.

9. Government direct that under the provisions of FR 54, the period intervening between the date of dismissal to date of superannuation i.e., 30.06.2013 and the suspension period prior to the dismissal in respect of Sri V. Venkateswarlu. Reserve Inspector, Visakhapatnam, Visakhapatnam Range shall be treated as not on duty.

10. The Director General of Police, AP, Mangalagiri shall take further necessary action in the matter and compliance to the Government immediately.

11. This order issues with the concurrence Finance(HR.IV-FR&LR) Department vide their U.O.No.FIN01-HR/80/2020-HR-4(Computer No.1167303) dt. 30/09/2021.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT.

To
Sri V. Venkateswarlu, formerly Reserve Inspector, Visakhapatnam Range, Visakhapatnam **through** DGP, AP, Mangalagiri.
The Director General of Police, AP, Mangalagiri.
Copy to :
The Director General, ACB, AP, Vijayawada.
The Pay and Accounts Officer, Vijayawada,
The Accountant General, AP, Hyderabad.
The Director of Treasuries and Accounts AP, Vijayawada.
The Law Dept. / Finance Dept. / M(Home)
SF/SC.

// FORWARDED BY ORDER //

K. Padmavathi.
SECTION OFFICER(SC).